

Please amend the present application as follows:

**Claims**

The following is a copy of Applicants' claims that identifies language being added with underlining ("\_\_") and language being deleted with strikethrough ("—"), as is applicable:

1. (Currently amended) A method for providing improved availability of purchasable recordable media content downloaded from a remote server, said method comprising the steps of:

providing a download option to a user, the download option comprising an indication of when the purchasable recordable media content may be downloaded; and

updating the download option proximately in time to when a change in download resources changes the availability of the download option.

2. (Original) The method of claim 1, further comprising the step of receiving notice from the remote server when the download resources change.

3. (Original) The method of claim 1, further comprising the step of displaying the download option on a display device.

4. (Original) The method of claim 1, wherein the step of updating further comprises the step of omitting the download option that is no longer available to the user due to a greater than scheduled use of the download resources.

5. (Original) The method of claim 1, wherein the step of updating further comprises the step of adding a download option that is available to the user due to a less than scheduled use of the download resources.
6. (Original) The method of claim 5, wherein the added download option is available due to a second user canceling a previously selected download option.
7. (Original) The method of claim 5, wherein the added download option is available to the user over a plurality of time intervals.
8. (Original) The method of claim 1, wherein the step of updating occurs on a periodic schedule ahead of the start time of a next predefined download schedule.
9. (Original) The method of claim 1, wherein the step of updating occurs upon the user requesting the download option.
10. (Original) The method of claim 1, wherein the step of updating further comprises the step of updating pricing for the download option.
11. (Original) The method of claim 1, further comprising the step of requesting the download of the purchasable recordable media content, wherein said download is defined by the download option that is selected by the user.

12. (Original) The method of claim 11, wherein the purchasable recordable media content is downloaded as an in-band file transmission.
13. (Original) The method of claim 11, wherein the purchasable recordable media content is downloaded as an out-of-band file transmission.
14. (Original) The method of claim 11, wherein the purchasable recordable media content is downloaded as a video on demand session, in-band transmission.
15. (Original) The method of claim 11, wherein the purchasable recordable media content is downloaded throughout a duration of a plurality of time intervals depending in part on whether the download resources are available for providing the purchasable recordable media content to the user.
16. (Original) The method of claim 11, wherein the purchasable recordable media content to be downloaded is stored in a video on demand server.
17. (Original) The method of claim 11, wherein the purchasable recordable media content to be downloaded is stored in a broadcast file server.
18. (Original) The method of claim 1, wherein the download resources comprise downstream bandwidth, signaling support, and server storage.

19. (Original) The method of claim 1, further comprising the step of notifying the user when the download of the purchasable recordable media content is completed.

20. (Original) The method of claim 19, wherein the step of notifying further includes the step of providing an audible signal.

21. (Original) The method of claim 19, wherein the step of notifying further includes the step of providing a graphical message on a display device.

22. (Original) The method of claim 19, wherein the step of notifying further includes the step of providing a displayed code on a media client device.

23. (Original) The method of claim 19, wherein the step of notifying further includes the step of providing visual and aural notification.

24. (Original) The method of claim 1, further comprising the step of storing purchasable recordable media content information, the download option, and a pricing option associated with the download option, in a data structure.

25. (Original) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the

purchasable recordable media content to be downloaded earlier in time than the initially selected download option.

26. (Original) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at a later time than the initially selected download option.

27. (Original) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content to be downloaded over a different duration than the initially selected download option.

28. (Original) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at the same time as the initially selected download option, but at a different quality level.

29. (Original) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is

unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at a different time and at a different quality level than the initially selected download option.

30. (Original) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the user to be placed on stand-by for receiving the purchasable recordable media content of the initially selected download option.

31. (Original) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables other purchasable recordable media content to be downloaded in place of the purchasable recordable media content of the initially selected download option.

32. (Original) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an over-ride option that, if selected, enables the user to over-ride the unavailability status and receive the initially selected purchasable recordable media content by paying a premium.

33. (Original) The method of claim 1, wherein the steps of providing and updating the download option further include the steps of providing and updating pricing for the download option.

34. (Original) The method of claim 1, wherein the steps of providing and updating further include the steps of providing and updating a plurality of download options.

35. (Original) The method of claim 1, further comprising the step of downloading the purchasable recordable media content into a portable medium in a portable media drive coupled to a media client device at a faster rate than the real-time playback rate.

36. (Original) The method of claim 1, further comprising the step of downloading the purchasable recordable media content into a portable medium in a portable media drive coupled to a media client device at a slower rate than the real-time playback rate.

37. (Currently amended) A media system for providing improved availability of purchasable recordable media content downloaded from a remote server, said media system comprising:

a memory with logic; and

a processor configured with the logic to provide a download option to a user, the download option comprising an indication of when the purchasable recordable media content may be downloaded, wherein the processor is further configured with the logic to

update the download option proximately in time to when a change in download resources changes the availability of the download option.

38. (Original) The media system of claim 37, wherein the processor is further configured with the logic to receive notice from the remote server when the download resources change.

39. (Original) The media system of claim 37, wherein the processor is further configured with the logic to display the download option on a display device.

40. (Original) The media system of claim 37, wherein the processor is further configured with the logic to omit the download option that is no longer available to the user due to a greater than scheduled use of the download resources.

41. (Original) The media system of claim 37, wherein the processor is further configured with the logic to add a download option that is available to the user due to a less than scheduled use of the download resources.

42. (Original) The media system of claim 41, wherein the added download option is available due to a second user canceling a previously selected download option.

43. (Original) The media system of claim 41, wherein the added download option is available to the user over a plurality of time intervals.

44. (Original) The media system of claim 37, wherein the processor is further configured with the logic to update on a periodic schedule ahead of the start time of a next predefined download schedule.

45. (Original) The media system of claim 37, wherein the processor is further configured with the logic to update upon the user requesting the download option.

46. (Original) The media system of claim 37, wherein the processor is further configured with the logic to update pricing for the download option.

47. (Original) The media system of claim 37, wherein the processor is further configured with the logic to request the download of the purchasable recordable media content, wherein said download is defined by the download option that is selected by the user.

48. (Original) The media system of claim 47, wherein the purchasable recordable media content is downloaded as an in-band file transmission.

49. (Original) The media system of claim 47, wherein the purchasable recordable media content is downloaded as an out-of-band file transmission.

50. (Original) The media system of claim 47, wherein the purchasable recordable media content is downloaded as a video on demand session, in-band transmission.

51. (Original) The media system of claim 47, wherein purchasable recordable media content is downloaded throughout a duration of a plurality of time intervals depending in part on whether the download resources are available for providing the purchasable recordable media content to the user.

52. (Original) The media system of claim 47, wherein the purchasable recordable media content to be downloaded is stored in a video on demand server.

53. (Original) The media system of claim 47, wherein the purchasable recordable media content to be downloaded is stored in a broadcast file server.

54. (Original) The media system of claim 37, wherein the download resources comprise downstream bandwidth, signaling support, and server storage.

55. (Original) The media system of claim 37, wherein the processor is further configured with the logic to notify the user when the download of the purchasable recordable media content is completed.

56. (Original) The media system of claim 55, wherein the processor is further configured with the logic to provide an audible signal.

57. (Original) The media system of claim 55, wherein the processor is further configured with the logic to provide a graphical message on a display device.

58. (Original) The media system of claim 55, wherein the processor is further configured with the logic to provide a displayed code on a media client device.

59. (Original) The media system of claim 55, wherein the processor is further configured with the logic to provide visual and aural notification.

60. (Original) The media system of claim 37, wherein the processor is further configured with the logic to store purchasable recordable media content information, the download option, and a pricing option associated with the download option, in a data structure.

61. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that the download option, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded earlier in time than the initially selected download option.

62. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that the download option, selected

before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at a later time than the initially selected download option.

63. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that the download option, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded over a different duration than the initially selected download option.

64. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that the download option, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at the same time as the initially selected download option, but at a different quality level.

65. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that the download option, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at a different time and at a different quality level than the initially selected download option.

66. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that the download option, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the user to be placed on stand-by for receiving the purchasable recordable media content of the initially selected download option.

67. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that the download option, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables other purchasable recordable media content to be downloaded in place of the purchasable recordable media content of the initially selected download option.

68. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that the download option, selected before the download resource change, is unavailable, and provide an over-ride option that, if selected, enables the user to over-ride the unavailability status and receive the initially selected purchasable recordable media content by paying a premium.

69. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide and update pricing for the download option.

70. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide and update a plurality of download options.

71. (Original) The media system of claim 37, wherein the processor is further configured with the logic to download the purchasable recordable media content into a portable medium in a portable media drive coupled to a media client device at a faster rate than the real-time playback rate.

72. (Original) The media system of claim 37, wherein the processor is further configured with the logic to download the purchasable recordable media content into a portable medium in a portable media drive coupled to the media client device at a slower rate than the real-time playback rate.

73. (Original) The media system of claim 37, wherein the memory, the logic, and the processor are located in the remote server.

74. (Original) The media system of claim 37, wherein the memory, the logic, and the processor are located in a remote digital network control system.

75. (Original) The media system of claim 37, wherein the memory, the logic, and the processor are located in a media client device.

76. (Original) A method for providing improved availability of purchasable recordable media content downloaded from a remote server, said method comprising the steps of:

providing download options to a user;  
adding a new download option proximately in time to when a portion of download resources are freed up;  
omitting one of the download options proximately in time to when the download resources are insufficient to support the omitted download option; and  
providing alternate download options after one of the download options has been selected but the download resources are insufficient to support the selected download option.

77. (Original) The method of claim 76, further comprising the step of adapting the download options over a plurality of time intervals.

78. (Currently amended) A media system for providing improved availability of purchasable recordable media content downloaded from a remote server, said media system comprising:

a memory with logic; and  
a processor configured with the logic to provide a ~~download option to~~ providing download options to a user, wherein the processor is further configured with the logic to add a new download option proximately in time to when a portion of download resources are freed up, wherein the processor is further configured with the logic to omit one of the download options

proximately in time to when the download resources are insufficient to support the omitted download option, wherein the processor is further configured with the logic to provide alternate download options after one of the download options has been selected but the download resources are insufficient to support the selected download option.

79. (Original) The media system of claim 78, wherein the processor is further configured with the logic to adapt the download options over a plurality of time intervals.

80. (Original) A method for providing improved availability of purchasable recordable media content downloaded from a remote server, said method comprising the steps of:

    providing download options and pricing to a user;

    receiving notice from the remote server when download resources change, wherein the download resources comprise downstream bandwidth, signaling support, and server storage;

    adding a new download option and pricing proximately in time to when a portion of the download resources used are less than a scheduled use of the download resources;

    omitting one of the download options and the pricing for the omitted download option proximately in time to when the download resources are greater than the scheduled use of the download resources;

providing alternate download options and alternate pricing after one of the download options has been selected but the download resources are insufficient to support the selected download option;

providing the user notice that one of the download options, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content to be downloaded earlier in time than the initially selected download option;

providing the user notice that one of the download options, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at a later time than the initially selected download option;

providing the user notice that one of the download options, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content to be downloaded over a different duration than the initially selected download option;

providing the user notice that one of the download options, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at the same time as the initially selected download option, but at a different quality level;

providing the user notice that one of the download options, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at a different time and at a different quality level than the initially selected download option;

providing the user notice that one of the download options, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the user to be placed on stand-by for receiving the purchasable recordable media content of the initially selected download option; providing the user notice that one of the download options, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables other purchasable recordable media content to be downloaded in place of the purchasable recordable media content of the initially selected download option;

providing the user notice that one of the download options, selected before the download resource change, is unavailable, and providing an over-ride option that, if selected, enables the user to over-ride the unavailability status and receive the initially selected purchasable recordable media content by paying a premium;

receiving purchasable recordable media content according to the selected alternate download option; and

notifying the user when the download of the purchasable recordable media content is completed.

81. (Original) A media system for providing improved availability of purchasable recordable media content downloaded from a remote server, said media system comprising:

a memory with logic; and

a processor configured with the logic to provide download options and pricing to a user, wherein the processor is further configured with the logic to receive notice from the remote server when download resources change, wherein the download resources comprise downstream bandwidth, signaling support, and server storage, wherein the processor is further configured with the logic to add a new download option and pricing proximately in time to when a portion of the download resources used are less than a scheduled use of the download resources, wherein the processor is further configured with the logic to omit one of the download options and the pricing for the omitted download option proximately in time to when the download resources are greater than the scheduled use of the download resources, wherein the processor is further configured with the logic to provide alternate download options and alternate pricing after one of the download options has been selected but the download resources are insufficient to support the selected download option, wherein the processor is further configured with the logic to provide the user notice that one of the download options, selected before the download resource

change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded earlier in time than the initially selected download option, wherein the processor is further configured with the logic to provide the user notice that one of the download options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at a later time than the initially selected download option, wherein the processor is further configured with the logic to provide the user notice that one of the download options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded over a different duration than the initially selected download option, wherein the processor is further configured with the logic to provide the user notice that one of the download options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at the same time as the initially selected download option, but at a different quality level, wherein the processor is further configured with the logic to provide the user notice that one of the download options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content to be downloaded at a

different time and at a different quality level than the initially selected download option, wherein the processor is further configured with the logic to provide the user notice that one of the download options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the user to be placed on stand-by for receiving the purchasable recordable media content of the initially selected download option, wherein the processor is further configured with the logic to provide the user notice that one of the download options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables other purchasable recordable media content to be downloaded in place of the purchasable recordable media content of the initially selected download option, wherein the processor is further configured with the logic to provide the user notice that one of the download options, selected before the download resource change, is unavailable, and provide an over-ride option that, if selected, enables the user to over-ride the unavailability status and receive the initially selected purchasable recordable media content by paying a premium, wherein the processor is further configured with the logic to receive purchasable recordable media content according to the selected alternate download option, wherein the processor is further configured with the logic to notify the user when the download of the purchasable recordable media content is completed.